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Notice of Allowability

Application No.

10/611,813

Examiner

Ahshik Kim

Applicant(s)

SCHMIDT ET AL.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview on 11/22/05.
2. ☒ The allowed claim(s) is/are 93 and 94.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>enclosed</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the amendment filed on September 15, 2005. In the
5 amendment claim 93 was amended. Currently, claims 93 and 94 remain in the examination.

Terminal Disclaimer

2. The terminal disclaimer filed on April 15, 2002 disclaiming the terminal portion of any
patent granted on this application, which would extend beyond the expiration date of US Patent
10 No. 6,595,420 to Wilz, Sr. et al. has been reviewed and is accepted. The terminal disclaimer has
been recorded.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or
15 additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR
1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the
payment of the issue fee.

Authorization for this examiner's amendment was granted during a telephone interview
with Mr. Perkowski on November 22, 2005 (see attached Interview Summary).

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IN THE CLAIMS

Claims 1-92 (Canceled)

Claim 93 (Currently Amended): A wireless laser bar code symbol reading system, comprising:

a wireless hand-supportable bar code symbol reader in two-way RF communication with a base station operably connected to a host system, by way of an RF-based wireless data communication link over which two-way communication of data packets can occur in a reliable manner,

5 wherein said wireless hand-supportable bar code reader has an operational mode and a sleep mode, and further includes

(1) a hand-supportable housing;

(2) a laser-scanning bar code symbol reading mechanism, including a laser diode source, disposed in said hand-supportable housing, for automatically producing a visible laser scanning
10 pattern, and automatically reading a bar code symbol on an object within a first predetermined time period, and each instant said bar code symbol is read within said first predetermined time period, automatically producing a symbol character data string representative of said read bar code symbol;

(3) a first RF-based transceiver circuit, disposed in said hand-supportable housing, for
15 transmitting data packets corresponding to said produced symbol character data string, over said RF-based wireless data communication link, to said base station for subsequent transmission to said host system;

(4) a battery device for producing a voltage for use in driving electrical components contained within said hand-supportable housing;

20 (5) a low battery condition detection circuit disposed within said hand-supportable housing, for automatically monitoring the voltage state of said battery device and generating a control signal upon automatic detection of a low voltage state in said battery device;

(6) a low battery-voltage alarm device disposed within said hand-supportable housing, for producing a low-voltage alarm signal in response to the generation of said control signal;

(7) a manually-operated data transmission activation switch, integrated with said hand-supportable housing, for generating a data transmission control activation signal in response to the activation of said manually-activatable data transmission switch within said first predetermined time period; and

(8) a device controller, disposed within said hand-supportable housing, for automatically driving said wireless hand-supportable bar code reader into said operational state by activating said laser scanning bar code symbol reading mechanism and said first RF-based transceiver circuit when not receiving said control signal, and for automatically driving said wireless hand-supportable bar code reader into said sleep state by deactivating said laser diode and said first RF-based transceiver circuit when receiving said control signal, and wherein the symbol character data string produced at substantially the same time when said data transmission control activation signal is generated while said wireless laser bar code symbol reading system is operating in said operational state.

Claim 94: The wireless laser scanning bar code symbol reading system of claim 93, wherein said base station includes

(1) a base station housing, and

(2) a second RF-based transceiver circuit, disposed within said base station housing, for receiving the data packets corresponding to said symbol character data string transmitted over said RF-based wireless data communication link, from said first RF-based transceiver circuit.

Allowable Subject Matter

4. Claims 93 and 94 are allowed.

5. The following is the Examiner's statement of reasons for allowance: the claims are

5 directed at a wireless bar code symbol reading system comprising a wireless hand-supportable
barcode reader, and a base station wherein the reader and the base station communicate using
radio frequency. The reader is further comprised of a manually-operated data transmission
activation switch integrated within the hand-supportable housing. A plurality of barcodes read
are accumulated until the transmission switch is activated. The reader is further comprised of a
10 low-battery condition detection device and alarming means for notifying the users of such
condition. The wireless barcode claimed is not disclosed or suggested by the references.

Any comments considered necessary by applicant must be submitted no later than the
payment of the issue fee and, to avoid processing delays, should preferably accompany the issue
fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for
15 Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The
20 examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru
Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax number directly to the
Examiner is (571)273-2393. The fax phone number for this Group is (703)872-9306.

25 Communications via Internet e-mail regarding this application, other than those under 35
U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
addressed to [ahshik.kim@uspto.gov].

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5 *All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

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Ahshik Kim
Primary Examiner
Art Unit 2876
November 22, 2005

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